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Committee on Transportation and Infrastructure
Subcommittee on Aviation
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Chairman Mica, Ranking Member DeFazio, Congresswoman Norton and other distinguished members of the Subcommittee, thank you for inviting me to testify regarding the continued closure of Ronald Reagan Washington National Airport (DCA) to general aviation and charter flights. I am pleased to appear before you, along with witnesses from the Metropolitan Washington Airports Authority, Signature Flight Support, the General Aviation Manufacturers Association, the National Business Aviation Association, the National Air Transportation Association, and the Aircraft Owners and Pilots Association, to testify on this important matter.

DCA is a premier gateway to the Nation's capital and also serves as a vital engine for growth of the regional economy. TSA remains committed to working with our law enforcement and military partners, as well as stakeholders, to find a way to open the airport to general aviation and charter service. In working toward achieving that goal, however, we must remain cognizant that the threat of terrorists launching an attack using aircraft remains high, and this includes scenarios involving terrorists' use of general aviation access at DCA to perpetrate an attack against targets in the Nation's capital and its environs. Therefore, any reopening will require implementation of adequate security procedures.

Pursuant to Section 823 of the Vision 100—Century of Flight Aviation Reauthorization Act (P.L. 108-176), Congress has directed the Secretary of Homeland Security to develop and implement a security plan to permit general aviation aircraft to land and take off at DCA, while ensuring the security of the National Capital Region's airspace. TSA, which is the lead component agency within the Department of Homeland Security (DHS) on this matter, is devising a security plan that will allow general aviation and charter operations to resume at DCA.

Following the terrorist attacks of September 11, 2001, DCA was closed to all air traffic. In early October 2001, the Department of Transportation began the phased reopening of DCA to certain commercial flight operations. In April 2002, most scheduled commercial flight operations into and out of DCA were restored, except for certain commuter and on-demand operations. The restoration of commercial operations at DCA was accomplished only after instituting specific enhanced aircraft and operational security measures in

addition to those imposed nationally in the aftermath of the September 11 attacks. One measure that is widely known to the public is the so-called "30-minute rule", whereby passengers are prohibited from getting out of their seats within 30 minutes of takeoff or landing at DCA. That measure, together with others that are less conspicuous to the public, provides several additional layers of security that address adequately the threat environment in the National Capital Region.

In addition to commercial service, flight operations involving federal agencies, including the Department of Defense, Department of Homeland Security, and the Federal Aviation Administration; emergency medical services; and law enforcement are permitted to operate into and out of DCA. Some aircraft are also permitted access into DCA on a case-by-case basis, after undergoing vetting through TSA's Special Events Unit and the granting of a waiver. These waivers are issued on a very limited basis for very specific purposes and only when very stringent security procedures have been implemented.

Please allow me to speak holistically for a moment about the National Capital Region, before returning to the specific topic of DCA. As you know, the Federal government has put in place a carefully crafted, layered system of airspace defense to monitor and protect the National Capital Region. The outer ring, roughly a 30-mile radius around Washington known as the Airspace Defense Identification Zone (ADIZ), has been in place for about a year. We are continuing to work with stakeholders to refine procedures for entering and operating within the ADIZ, but in general terms all operators must file a flight plan, transmit a discreet beacon code, and maintain 2-way radio communication with air traffic control in order to operate within the ADIZ. The inner ring of airspace, known as the Flight Restricted Zone (FRZ), has a radius of 15 nautical miles centered at the DCA navigational beacon.

Other than very limited circumstances, general aviation, commuter, and on-demand operations are prohibited from operating within the FRZ. The restriction affects operations not only at DCA but also at three general aviation airports located in Maryland. Like the prohibition against many kinds of flights into DCA, these measures were instituted because of grave concerns over the protection of the critical assets, facilities, and infrastructure in the Washington metropolitan region and the absolute necessity to prevent the use of an aircraft as a weapon of mass destruction. We have maintained the restrictions because the vast majority of general aviation, commuter, and on-demand operations are unable to meet the same security measures being applied to air carriers operating large aircraft. While we would not require general aviation to implement the exact same measures, we would require measures that provide an equivalent level of security before reopening DCA to general aviation operations. We are currently investigating a number of possible programs and solutions that could provide this assurance.

We are currently not aware of any specific information regarding terrorist plans to use general aviation or charter aircraft to strike targets in the Washington metropolitan region. However, we have already witnessed two incidents involving the crash of small, general aviation aircraft into buildings (Milan, Italy and Tampa, FL). Although neither of

these incidents involved terrorism and the damage caused by these incidents was relatively minor, these incidents surely piqued the interest of terrorists as they consider new methods and weaponry for future operations. Indeed, in April 2003, the arrest of Waleed bin Attash uncovered a plot to crash a small aircraft loaded with explosives into the U.S. Consulate in Karachi, Pakistan.

Certain factors make general aviation aircraft an attractive potential avenue for terrorist attack. For example, general aviation aircraft are readily available and relatively inexpensive. Further, piloting these aircraft generally requires less skill and training than larger aircraft. Such factors, coupled with terrorist organizations' demonstrated ability to adopt new and creative methods of attack, make general aviation aircraft an attractive avenue for terrorists intent on evading security measures.

These concerns are heightened with respect to the Washington metropolitan region because the area is demonstrably an obvious target for would-be terrorists. As the home to all three branches of the Federal government, as well as numerous Federal buildings, foreign embassies, multinational institutions, and national monuments, the region offers a plethora of high value, symbolic targets for those who would do us harm. The protection of these assets, as well as the lives of travelers and those who live in this region, is not only our priority, but also our duty.

In fulfilling our obligation, we are acutely aware of the burdens now being borne by the general aviation community in the Washington metropolitan region. Moreover, undeniably, the measures restrict the freedom of movement that we so cherish. We will certainly bear in mind the hardships that have been imposed on stakeholders as we consider the measures that would need to be implemented in order to afford an equivalent level of security as those provided by measures that have been instituted with regard to commercial aviation operations at DCA. We must continue to strive to find a solution that meets the twin goals of ensuring security while maintaining mobility, for assuredly, terrorists will have won if we achieve the former goal at the expense of the latter.

TSA is working on devising a security plan, consistent with Section 823, which will then be coordinated within DHS and other federal agencies that are charged with responsibility for securing the National Capital Region. Other components within DHS that will consider the issue include the Bureau of Immigration and Customs Enforcement and the U.S. Secret Service. Outside of DHS, the Federal Bureau of Investigation, the Department of Defense, and the Federal Aviation Administration will also be involved. In working toward a solution, the issue has been and will continue to be discussed at length within the Airspace Protection Workgroup, which was chartered by the Homeland Security Council to discuss various aviation issues involving the National Capital Region. We will also consult with interested Committees in Congress as our work progresses. When the specific details of the proposed security measures are fully developed and coordinated within the Executive Branch, the plan will be finalized and its non-security sensitive elements will be published in the Federal Register.

A number of user organizations and aviation associations that represent the interests of the general aviation and charter airline communities, including those represented at this hearing, have requested that DHS consider various proposals to reopen DCA to their operations. We very much appreciate the legitimate concerns of these entities and recognize that they have incurred economic hardships as a result of their continued lack of access to DCA. We also are very much aware of the adverse impact to the regional economy as a result of the continued closure of DCA to general aviation and charter airlines. We have met with representatives of general aviation and charter airlines, received their proposals, and discussed how they address the need for increased security measures. We will continue to seek their input as we devise a plan for reopening general aviation at DCA. We regard stakeholders as partners in this endeavor and are confident that we will have their support as we move forward.

This concludes my prepared statement. I would be pleased to answer any questions at this time.